

Evan Bayh Committee  
850 Fort Wayne Avenue  
Indianapolis, IN 46220

SECRETARY OF THE SENATE

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February 22, 2005

Secretary of the Senate  
Office of Public Records  
P.O. Box 5109  
Alexandria, VA 22301-0109

Dear Mr. Secretary:

This letter is in response to the Federal Election Commission's preliminary review of the 30 day Post-General Report (10/14/04 - 11/22/04) of the Evan Bayh Committee. The letter indicated questions that the Commission wanted the committee to address.

1.) Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act.

We examined all of our contributions to check for additional excessive contributions and determined that there were none. We also reviewed our procedures for processing contributions, and reinforced to staff the necessity of following the procedures at all times. We have taken the following specific actions on the excess contributions detailed in the Commissions letter:

Arnie Havens \$4,000 contribution to the general election:

Mr. Havens is actually the contact person for the CSX Good Government Fund. This contribution was from the PAC and not from Mr. Havens individually. A copy of the revised statement is attached.

OxyPac \$7,000 contribution to the general election:

Our records show that OxyPac has contributed a total of \$10,000 in the 2004 cycle. Contributions from December 1999 (\$1,000), April 2001 (\$2,000) and October 2002 (\$2,000) were designated to the Primary election. The October 2002 contribution totaled \$5,000 and was split \$2,000 to the primary and \$3,000 to the general. In addition there was an additional contribution of \$2,000 to the general election campaign in October of 2004. The commission's records show the October 2002 contribution of \$5,000 going entirely to the general election, we believe the commission is incorrect on this matter.

Olbank PAC \$5,250 contribution to the general election:

We refunded the excess contribution amount of \$250 on December 13, 2004.